

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

In re: Jimmy Ray Lewis, Jr.
Dorina Joy Lewis
Debtors

Case Number: 24-50029 mmp

A Chapter 11 Proceeding

OBJECTION TO CONFIRMATION

Now comes, Randolph Brooks Federal Credit Union, a Creditor herein, and files this objection to the confirmation of the Chapter 13 Plan of Reorganization; and in support thereof would show the Court as follows:

I.

The Debtors filed this proceeding, the supporting documents and schedules, and Plan.

II.

Creditor in the above style and numbered case possesses a security interest in the 2022 Chevrolet Silverado 3500HD VIN 1GC4YVEY6NF300703 as evidenced by a Retail Installment Contract and Security Agreement. Creditor's security interest is perfected by a Certificate of Title issued by the State of Texas.

III.

Creditor objects to confirmation of the Plan on the following grounds:

1. The value of the collateral as stated in the Chapter 13 Plan is too low.
2. Pursuant to the N.A.D.A. the retail value of the collateral described above is \$70,4250 and the trade-in value is \$64,525.00. The "split" value is \$67,475.00.
3. The proposed monthly payment to Creditor is insufficient to amortize the debt over a reasonable amount of time.
4. The Plan should not be confirmed unless and until proper proof of casualty insurance coverage protecting the collateral has been provided to Creditor.

IV.


As proposed, the Chapter 13 Plan does not provide adequate protection to Randolph Brooks Federal Credit Union on the claim or claims secured by the above referenced collateral. Creditor feels that it will suffer an unwarranted financial loss if the Plan is confirmed as proposed.

PRAYER

Randolph Brooks Federal Credit Union prays that the Court deny confirmation of the Plan. Creditor prays for recovery of reasonable attorney's fees, Creditor's economic losses suffered as a

result of the filing of this Plan, and for such other relief the Court finds appropriate.

Respectfully Submitted,


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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing pleading was served via electronic means as listed on the Court's ECF noticing system or by regular first class mail on the parties in interest listed hereafter:

Jimmy Ray Lewis, Jr. & Dorina Joy Lewis, the Debtors, at 141 W. Robindale, Bandera TX 78003;

William R. Davis, Jr., Attorney for Debtor, at 745 E. Mulberry, # 900, San Antonio, TX 78212;

Brad W. Odell, Trustee at 1500 Broadway, Suite 700, Lubbock TX 79401; and

United States Trustee, at 615 East Houston Street, Suite 533, San Antonio TX 78205.

Dated: 9/9/24.



William P. Weaver Jr.